

Public Meeting

Harbor Island Superfund Site - East Waterway Proposed Plan

June 3, 2023



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HARBOR ISLAND SUPERFUND SITE

EAST WATERWAY PROPOSED PLAN

Taken at 6737 Corson Avenue South, Building C
Seattle, Washington

DATE TAKEN: June 3, 2023

REPORTED BY: Nancy M. Kottenstette, RPR, CCR 3377

1 SEATTLE, WASHINGTON; June 3, 2023

2 11:00 a.m.

3
4 LAURA KNUDSEN: Thanks, Ravi. You may
5 want to go ahead and join your colleagues.

6 I want to thank you all so much. I know that
7 was a lot of information that some of you have already
8 seen once. So thank you for being here again. And
9 for those of who you came in a little later, we're
10 going to do a few clarifying questions right now. So
11 that means clarifying questions are questions to help
12 clarify anything that was said during the
13 presentation.

14 So an example would be: How deep is EPA
15 planning to dredge? That's an example of a clarifying
16 question. And if you're uncertain whether your
17 question is a formal public comment versus a
18 clarifying question, then feel free to wait until the
19 formal public comment session, which will be right
20 after this clarifying question session.

21 And please feel free to also take care of
22 yourselves, stretch if you need to, go out and get
23 water, get more banh mi's from the East Waterway
24 Group. Thank you, East Waterway Group.

25 And so if you have cards, which I have a few

1 here, and Sam over here is going to be running the
2 mic. We'll alternate between questions that you have
3 in the room -- feel free to raise your hand if you
4 have a question -- and these cards. We'll start with
5 the card and then go to the room, and the panel will
6 help answer the questions.

7 So we're going to start with the first
8 question, Kira, is: Does dredging stir up
9 contaminants? If so, how much and what can be done to
10 mitigate that?

11 KIRA LYNCH: So that's a great
12 question. The equipment that we use for doing
13 environmental dredging is specialty equipment, but it
14 does bring -- it does take some of the sediments and
15 sediments in the water columns, but there's several
16 best management practices that can be used when you're
17 doing the dredging itself, including things like silt
18 fences and other things that allow you to be able to
19 contain having some of those sediments that you're
20 dredging be distributed to other areas of the
21 waterway.

22 So that's something that we definitely plan
23 for and are very careful during the dredging
24 activities that we do for environmental projects like
25 this.

1 LAURA KNUDSEN: Thank you, Kira.

2 Thanks to whoever wrote that question.

3 Does anyone have a question in the room that
4 would like to ask orally, if you want, just a
5 clarifying question? If you want to raise your hand
6 on the presentation -- do you have one? No. Okay.
7 All right. Yeah. Thanks, Sam.

8 PARTICIPANT: I was wondering what is
9 the engineered cap materials made of?

10 KIRA LYNCH: So the engineered capping
11 materials are usually a sand-type material for the
12 capping, but that gets looked at during the design
13 process.

14 PARTICIPANT: So how different from the
15 other -- it seemed like some of the slides said just
16 capping materials and some said engineered. Is there
17 a difference?

18 KIRA LYNCH: Yeah. So the capping
19 materials -- do you want to bring up the slide that
20 shows the different areas?

21 So when they're referring to the different
22 areas, there's enhanced natural recovery areas.
23 That's where there's sand that's put on the top of the
24 sediment, not necessarily an amount where you're
25 expecting the material to stay and be there

1 permanently as, like, a cap to contain the
2 contamination. The concept there is that the clean
3 material helps mix with the sediments that are there.

4 And that's exactly what the -- kind of the
5 terminology that we use is that it helps kind of
6 enhance the recovery that would be happening
7 naturally. So that's different than areas where
8 you're doing capping. Like the areas that we are
9 showing in green there, those areas will be capped
10 with materials that are designed so the materials will
11 stay in place and contain the sediments that are
12 contaminated below that.

13 LAURA KNUDSEN: We're going to switch
14 to a card question. Great questions. Great
15 clarifying questions. Thanks, everyone. All right.

16 Kira, if no more contaminants come into the
17 site and if interim cleanup is completed as proposed,
18 how safe will resident fish be to eat?

19 KIRA LYNCH: So it's kind of a two-fold
20 question; right? From the standpoint of the cleanup
21 process, we will be going out and doing the work that
22 we've identified in this proposed plan, which will
23 include removing a large amount of the contaminated
24 sediment. There's very, like, kind of smaller
25 portions of the waterway where we'll be capping the

1 contaminated sediment or adding amendments.

2 That will reduce the amount that is getting
3 into the environmental system that the fish in the
4 waterway are being exposed to, but it's not something
5 where we'll see an immediate reduction in contaminants
6 in the fish. The fish swim. They go up into the
7 Lower Duwamish waterway. They swim in to the East
8 Waterway.

9 So the goal here is that eventually it is
10 going to make a difference for the fish tissue
11 concentration, but that's not going to be immediate.
12 That's one of the reasons that on our types of cleanup
13 plans like this, we rely on fish advisories that are
14 put in place by the Department of Health to help
15 people be aware and be able to monitor the fish over
16 time and be able to make sure that they're aware of
17 what are healthy fish to consume and what amounts they
18 can eat safely.

19 But I think the other thing that's really
20 important here is, similar to the Lower Duwamish
21 waterway, we are going to build off of the education
22 programs, because we think that that is a very
23 important part of helping people to understand what
24 is -- what are other healthier choices that they have.

25 Because, like I said, there is going to be --

1 we're going to do a lot of work. We're going to clean
2 up this contaminated sediment, but it's going to --
3 it's going to take a while to see those impacts and
4 have them be translated into being able to see the
5 fish and other parts of the ecosystem cleaned up as
6 well.

7 I'm not sure whose question that was, but I
8 want to make sure, because that's an important
9 question, that I answered that completely.

10 PARTICIPANT: You did.

11 LAURA KNUDSEN: Thank you. Great
12 question.

13 We don't have any more written questions. I
14 see some people raise -- so if you want to hold up
15 your card, if you -- you also can -- you don't have to
16 give it to us. But if you do have a card -- or a
17 clarifying question on a card, just raise it, and Cami
18 will come grab it.

19 Do we have other clarifying questions in the
20 meeting? Yes.

21 PARTICIPANT: Is there -- is there a
22 known or estimated quantity or ratio of contaminated
23 material around the communication channel that you'll
24 be removing?

25 LAURA KNUDSEN: Is there a known or

1 estimated quantity of contamination material in the
2 communication channel?

3 PARTICIPANT: Or ratio that you'll be
4 able to treat or remove?

5 KIRA LYNCH: I don't know if we can say
6 that there's a known quantity, but if you look at
7 the -- where the communication cable runs and kind of
8 the relative percentage of the material that's there,
9 once again, we will be dredging in that area to the
10 extent that we can. And I believe that communication
11 cable is like 6 to 8 feet.

12 RAVI SANGA: Two to 8 feet below.

13 KIRA LYNCH: Two to 8 feet below
14 surface, and they'll have to confirm that during the
15 design process. But if you flip to the next slide,
16 Laura, I believe the next slide has got the piechart
17 with, like -- yeah, this one, with percentages. You
18 can see the percentage of total area in the waterway
19 that that communication cable goes across is
20 relatively small compared to the area of the waterway
21 that is identified for dredging.

22 PARTICIPANT: The concern is it just
23 cuts --

24 REPORTER: Please speak up.

25 PARTICIPANT: The concern is that it's

1 just going to stir up contamination across all parts
2 of the waterway years going forward because, I mean,
3 it's going to have maintenance. I saw in 2006 had --
4 so maybe a small area, but --

5 REPORTER: I can't hear you.

6 PARTICIPANT: The concern is that I
7 have materials that aren't really known. I mean, when
8 I read the planned feasibility study and the draft
9 plan, there wasn't a lot of definition. So I'm just
10 trying to figure out some basic things, like how our
11 regulations in the future are going to be adhered to
12 when new installations happen, when maintenance
13 happens, like in 2006 that causes a reroute of the
14 channel. I'm just trying to get more information in
15 the formal public comment if that makes sense.

16 LAURA KNUDSEN: Okay. Well, we do
17 have -- I mean, that might be good to talk about after
18 the formal public comment and also the East Waterway
19 Group that's outside too.

20 KIRA LYNCH: One thing that I wanted to
21 add by building on that, because I think we talked
22 about it a little bit, but it's important to
23 understand is that after we go out and do this work
24 that's been identified in this plan, that doesn't mean
25 that EPA is going to walk away from this site.

1 There's a lot of monitoring that will happen
2 during the cleanup activities itself, as well as
3 monitoring that will be happening after the actual
4 engineering actions that have been proposed here. We
5 will be monitoring sediment and tissue of fish and
6 surface water over the long-term, and there will also
7 be monitoring that will feed into us defining the
8 final cleanup levels and coming out with another
9 proposed plan and final record of decision.

10 So you're absolutely right that there's going
11 to be some areas that we can't access where there will
12 be sediment that has contamination on it that will
13 remain in the waterway, but that is something that
14 will be monitored over time.

15 I think the other thing -- and Ravi talked
16 about this a little bit when he said that this is one
17 of the most comprehensive cleanups that we've selected
18 in Region 10. And I just wanted to explain that
19 concept a little bit more.

20 When we -- when we do sediment cleanup at
21 these types of sites, we basically have a range of
22 alternatives that we look at similar to the things
23 that we looked at here. We can rely on monitored
24 natural recovery, which is we don't take any active
25 engineering action, but we monitor the system over

1 time.

2 We can do enhanced natural recovery where we
3 put some sand down and it mixes with the sediments
4 that are there.

5 And we can do capping where we cap the
6 materials, or we can do dredging.

7 When you look at that range of alternatives,
8 really the most -- the one that has the -- that would
9 be considered the most comprehensive is dredging;
10 right? Because you're removing the material entirely
11 from the waterway. When you look at this alternative
12 that the EPA is proposing on this waterway and you
13 look at kind of the relative percentage of the
14 waterway that we're doing capping versus the other
15 types of actions that we could be taking, this is by
16 far one of the most comprehensive cleanups.

17 So over 75 percent of the area where we're --
18 of the waterway is going to have the contamination
19 completely removed from dredging where many of our
20 other cleanup sites that we've selected alternatives
21 for in Region 10, they have -- they range where you're
22 looking at only 30 or 40 percent of the total site
23 area where we're actually doing dredging. And we rely
24 much more heavily on the other technologies.

25 So when we say that this is a comprehensive

1 cleanup, it's really trying to capture that concept
2 that we really have selected an alternative for this
3 that we're presenting to the public that includes a
4 really large percentage of one of the most rigorous
5 things that we can do to remove the contamination as
6 quickly as possible from the environment.

7 LAURA KNUDSEN: Thank you. We can take
8 a couple more clarifying questions, and I do want to
9 see if anyone wants to do some formal public comments.
10 Anyone in the room?

11 PARTICIPANT: I have been asked by a
12 couple of neighbors recently. I'm wondering if you
13 guys consider human and animal waste as a source
14 control issue or is it more chemicals? There's a
15 significant number of folks living in the Duwamish
16 Valley who don't have access to sewer systems, and so
17 people are wondering about human waste being dumped
18 into the drains and getting into the river.

19 KIRA LYNCH: So from the standpoint of
20 the Superfund law, we can clean up things that are --
21 hazardous chemicals, so we're looking for chemicals in
22 the environment. Although human waste, sewage, that
23 is a huge, important environmental issue that needs to
24 be addressed, but those types of discharges aren't
25 things that we can look at from the Superfund cleanup

1 perspective.

2 PARTICIPANT: So tribal associates made
3 a handout that we hand out to the community, and it
4 says who to contact for poo. Like if it is human
5 waste, if it is like -- just different types of
6 pollution. Who to contact at SPU. Who to contact at
7 ecology. When to contact -- and who in the
8 departments and then who -- so that could be helpful
9 information to have here at these types of events.

10 LAURA KNUDSEN: Thank you.

11 PARTICIPANT: Hi, thank you. A
12 question on the junction reach and the silt reach
13 areas here. They're small. And given that, you know,
14 this is the biggest thing that Region 10 has ever done
15 so far -- thank you for that -- they just feel like
16 they're off in the corner. There's less area to the
17 west of it.

18 Can you talk a little bit more about the
19 attention paid to that section? Because I think with
20 the other cleanup upriver and sediments going through,
21 the enhanced natural remediation, how is that -- are
22 you going to stage that differently in the cleanup
23 because you're going to need to wait for all the
24 sediments that might be kicked up in the upper areas
25 to come down? Is that going to be the last place

1 tackled because of that issue?

2 That's where a lot of the interactions with
3 the fishing go on every day. So can you talk a little
4 bit more about that and its next 10, 15 years?

5 KIRA LYNCH: So there's kind of two
6 different questions there; right? One is that the
7 sequencing of this work or the work that's going to be
8 going on in the Lower Duwamish waterway and that is
9 definitely something that we'll be looking at as we
10 proceed is looking at sequencing.

11 From an engineering perspective, we don't feel
12 that we need to wait to start the cleanup in the East
13 Waterway until we're entirely done with all the Lower
14 Duwamish waterway. There are -- as we had mentioned
15 before, there's things that we can do during the
16 dredging to ensure that there's going -- that we can
17 contain the dredging activities that are happening in
18 the Lower Duwamish waterway so we're not impacting the
19 East Waterway.

20 As far as the question about what's happening
21 under the West Seattle Bridge for this area, the
22 problem there is access with equipment, right, and
23 being able to get in there with dredging equipment.
24 What we currently have proposed for that area is the
25 enhanced natural recovery, but that will also be an

1 area that will be monitored over time to see how that
2 is performing relative to the whole cleanup area.

3 And that actually is one of the things that's
4 really kind of a benefit and one of the reasons that
5 we use the tool of doing interim rods in the EPA
6 toolbox is that when we have areas like that where
7 we've selected enhanced natural recovery or the
8 amendments under the piers, we will be monitoring that
9 and seeing how those areas perform with those
10 technologies. And if there's a need to do something
11 different or enhance it, that can be considered when
12 we select our final rod for the site.

13 Did I get to your question or --

14 PARTICIPANT: Sure. Yeah. Thank you.

15 LAURA KNUDSEN: Thank you.

16 KIRA LYNCH: I think Brick and some of
17 the other people from the East Waterway Group that
18 were intimately involved in some of the feasibility, I
19 know they're available after this if you have some
20 more specific questions about that.

21 LAURA KNUDSEN: Great question.

22 Any cards? Raise your hand if you have a
23 card. We can take maybe one more or any other
24 clarifying questions. Any other clarifying questions?

25 Okay. We'll go ahead and -- we'll go ahead

1 and transition to the formal public comments section.

2 I'm going to go a little back.

3 So I want to note that we'll be taking formal
4 public comments throughout the day too. So if you
5 want to kind of take some time to think about what
6 you've heard and come back later to give an oral
7 comment, that's great. You can always call that phone
8 number that we talked about too. And right after
9 that, we'll have some informal opportunity to ask
10 clarifying questions of the panel and our team before
11 we have another presentation at 3:00 p.m.

12 So I don't have any speaker registration
13 cards, so as a result, if you would like to make a
14 formal public comment, it's going to take place right
15 over here with Nancy, our court reporter. And Dustin
16 is going to be our EPA hearing official. We'll be
17 listening to your public comment, if our screen works.

18 So raise your hand if you would like to make a
19 formal public comment, and we can -- but if you would
20 like to make a formal public comment, we can get
21 going. Anyone right now? No. Okay. Then you can
22 keep thinking about it.

23 And what we're going to do is reset now and
24 give everyone time to stretch, move around, grab more
25 food and refreshments outside. If you do want to make

1 a formal public comment, we will be right here. You
2 can also make a written comment if you want and review
3 the proposed plan, hard copy, in the room right by
4 where you signed in, and there's fact sheets. You
5 can -- there's computers where you can go type your
6 comment and translated material in Spanish, Khmer, and
7 Vietnamese too. And the video is playing on repeat if
8 you want to go take a look at that video in that room
9 too.

10 Thank you. Our next presentation will be at
11 3:00 p.m.

12 (A break was taken.)

13 PARTICIPANT: I'm very grateful with
14 the Environmental Protection Agency for hearing
15 community about these new proposed cleanup plans for
16 the East Waterway, and what I would like to make sure
17 to mention is to any activities that were -- I'm
18 sorry. Not activities, any decisions that come with
19 environmental justice protections for communities that
20 are impacted by legacy pollution.

21 And I would like to mention that those who are
22 impacted directly by the injustices of pollution
23 should be the ones defining the future of the waters,
24 in this case the waters of the Duwamish River, which
25 is one river together with the Lower Duwamish and the

1 East Waterway. These should be treated as one river,
2 have the most healthy protective standards for
3 considering cumulative impacts for communities of
4 color, BIPOC, Black, indigenous, people who have been
5 treated unjustly for many, many years.

6 (A break was taken.)

7 LAURA KNUDSEN: Thank you so much,
8 Ravi, if want to go ahead and join your colleagues at
9 the table. Thank you.

10 So now we are going to open it up for some
11 clarifying questions on the presentation, and we'll
12 give you at the table a minute. So just a reminder,
13 before I explain, that clarifying questions are about
14 anything that Ravi said during the presentation. And
15 examples of clarifying questions are, like, how deep
16 is EPA going to dredge? That's an example of a
17 clarifying question.

18 And if you're uncertain if your question is a
19 comment, you can feel free to wait until the formal
20 public comment, oral public comment portion, which
21 will be right after this session.

22 And we'll start with questions going to Kira,
23 and then Kira will ask for help, if needed. And,
24 lastly, if you have written down a question on a card,
25 feel free to raise it up and we can grab that from you

1 and read those, too, for the panel.

2 So just let us know you have those. I'll grab
3 this while you're all thinking about any questions you
4 might have.

5 Okay. And please just remember to speak
6 slowly if you have any questions and as clearly as
7 possible for interpretation. That being said, I don't
8 think we have any written questions, clarifying
9 questions. Does anyone have any questions that they
10 would like to ask in English? Feel free to raise your
11 hand. Take your time.

12 PARTICIPANT: We do have a written
13 question. Do we give this to the translators?

14 LAURA KNUDSEN: Yes.

15 INTERPRETER: When we're talking about
16 fishing on the Duwamish, the question that they have
17 in regards to the future after the cleanup is done,
18 supposedly, after the interim cleanup, for example,
19 but what happens to all the commercial and
20 manufacturing facilities still building, either after
21 the interim cleanup or after, how do you handle that?

22 LAURA KNUDSEN: So maybe I can
23 summarize. Can -- so it's after the interim cleanup?

24 INTERPRETER: Right. But then you
25 still have manufacturing or other activities in the

1 area that are still contributing to some pollution.

2 LAURA KNUDSEN: How do we handle that?

3 PARTICIPANT: Or perhaps it's existing
4 manufacturing facilities contributing post-cleanup,
5 for example? I think that's it.

6 KIRA LYNCH: Yes. So that's a very
7 good question, because one of the things that we tried
8 to emphasize in this presentation is how the work that
9 we're proposing here is really just one part of a
10 bigger effort that's going to be needed to fully clean
11 up all of the watershed in the river.

12 So the actions that we're proposing today that
13 the EPA is proposing to do in the East Waterway will
14 make a significant difference. It will remove a lot
15 of the contaminated sediment, but we're going to all
16 have to work together through federal, state, local
17 regulations to continue to work on reducing
18 contamination that is coming into the river from other
19 places.

20 So that is something that we all need to
21 continue to work on if we want to see the river and
22 the whole system clean up entirely.

23 LAURA KNUDSEN: Does that help?

24 PARTICIPANT: Okay. I think they're
25 satisfied.

1 LAURA KNUDSEN: Thank you. Other
2 clarifying questions from the presentation?

3 PARTICIPANT: This gentleman here just
4 wants to clarify -- okay. So this gentleman, from
5 what he learned before, he learned that the Duwamish
6 River, the plan for the EPA, the whole plan for the
7 Duwamish, he learned that approximately like
8 345 million. So what it was talking about today as
9 the East Waterway on the Harbor Island saying about
10 290?

11 KIRA LYNCH: 290 million.

12 PARTICIPANT: Is that the whole amount?

13 KIRA LYNCH: Yes. That's separate.
14 It's on top of the amount that we ended up estimating
15 to the Lower Duwamish waterway as its estimate. The
16 290 million is our estimate just for all the cleanup
17 work in the East Waterway itself.

18 PARTICIPANT: So that is different from
19 the 345?

20 KIRA LYNCH: Yes.

21 PARTICIPANT: Thank you.

22 LAURA KNUDSEN: Those are great
23 questions. Thank you.

24 PARTICIPANT: I think also -- from the
25 community outreach session in the past, we have a

1 community member who wanted to see -- one thing,
2 whether the residential seafood, the residential fish
3 that live in the Duwamish River, whether they're going
4 to be traveling to somewhere else, like, for example,
5 to Harbor Island or to English Bay or to Green River?
6 They just live in that particular area, so that was
7 the question from the community member.

8 KIRA LYNCH: So the area that resident
9 fish or crabs or other things will travel are very
10 dependent on the species. So clams or things that
11 don't travel very far are not going to have a very --
12 they aren't going to be traveling from the East
13 Waterway to the Lower Duwamish, but things like crabs
14 and other resident -- what are considered kind of
15 resident creatures, they will have a larger home
16 range, a larger area that they will travel in.

17 So the answer is not -- it will be dependent
18 on which type of species that you're -- what type of
19 fish or critter that you're talking about, what their
20 home range would be.

21 PARTICIPANT: Just clarifying -- sorry.
22 So you're saying that the residential seafood will not
23 necessarily stay in that place. If we educate the
24 community to not eat residential seafood from the
25 Duwamish but then we say that another part is okay, so

1 that means that this particular residential seafood
2 that travels could be some other -- some place else
3 and living and we educate the community that only --
4 yeah, they can fish the other alternatives, besides
5 the salmon. So that we need to put that into
6 consideration if those residential seafood travel to
7 some other river.

8 KIRA LYNCH: Yes. And I believe --
9 when -- you have worked with other people to identify,
10 when you give alternate locations for people to go
11 fish, that those are areas that you've identified that
12 there's no impacts for the sediments in those areas or
13 there's no Department of Health warnings for not
14 eating the resident seafood in those areas that you
15 recommend to people.

16 PARTICIPANT: Yes. That one of the
17 recommendations in our fishing map that we use --

18 LAURA KNUDSEN: Use the mic.

19 PARTICIPANT: Yes. We do have
20 alternative sites where we recommend that community go
21 to Lincoln, Alki, or that part of alternative. So if
22 they're traveling and being impacted --

23 KIRA LYNCH: Yes, I think if you're
24 passing community -- if you're passing information on
25 to the community members that is information that's

1 based on the fishing advisory information that's
2 provided by the Department of Health, then that is
3 good information, that they will have accurate
4 information for you to be able to show where -- what
5 the advisories are for fishing in different areas.

6 LAURA KNUDSEN: It sounds like what
7 you're getting at might be a good comment, too, about
8 what we should think about in terms of institutional
9 controls maybe in the proposed -- you know, as we're
10 finalizing the interim too. So thank you.

11 Do you have another question?

12 INTERPRETER: With regard to the cover
13 methodology, how do you ensure long-term stability of
14 the cover method when you have to consider water
15 currents, perhaps some geological activities?

16 KIRA LYNCH: So one of the requirements
17 that we have under the Superfund program is we have
18 something called a five-year review. So once we are
19 done with construction of the -- we finish all of the
20 construction activities and do this cleanup, we will
21 start monitoring every five years. So the clock
22 starts as soon as we start the work, and then every
23 five years, we will make sure that we go back and we
24 collect additional information, both chemistry, so we
25 collect samples of fish and sediment and surface water

1 to see how the fish are cleaning up, how they are
2 changing over time, as well as to monitor the chemical
3 concentrations.

4 And we also sometimes will go down and measure
5 the bottom of the cap to make sure that it's still the
6 same thickness. And we use that information to
7 publish a report called a five-year review that we
8 share with the community so that they can be assured
9 that the actions that we are taking remain protective
10 for them and the community.

11 LAURA KNUDSEN: Great questions. Thank
12 you, Kira. Are there questions -- other clarifying
13 questions?

14 PARTICIPANT: My question is of what
15 will be the impact for the ecosystem --

16 REPORTER: Please speak up.

17 PARTICIPANT: What will be the impact
18 for the ecosystem underwater when you guys are doing
19 your dredging and capping? The residential fish, how
20 would they be impacted, and what are you guys taking
21 into consideration of how they will be impacted and
22 how they're going to be monitored to make sure that it
23 will be either the same or assist them so that it
24 doesn't impact them?

25 KIRA LYNCH: So that's a great

1 question. There will be impacts to the ecosystem and
2 the critters that live in the sediment when we do this
3 cleanup. One of the reasons that the cleanup is
4 scheduled to take 10 years is also that we will only
5 be working in the waterway during the fish windows.

6 So we try to limit the impacts that we would
7 have on fish migration by not working during times
8 when the migration is happening. As far as the
9 critters and things that are in the sediment that is
10 in the areas that we dredge, the environmental
11 dredging, we will use best management practices to try
12 to limit the amount of silt and sediment that's
13 entrained into the surface water during those
14 activities.

15 There's very specialized environmental dredges
16 that are used that, for example, close up at the
17 bottom and the top before you pull the sediment up, so
18 it keeps less of the fines going into the waterway.
19 But there will be -- we'll be removing that sediment,
20 and it definitely will disrupt the ecosystem in the
21 bottom of the East Waterway.

22 But we will bring in clean sand to top that.
23 And in doing that, we look at consideration of the
24 material that's being brought in to provide habitat,
25 to provide a friendly environment for it to be

1 repopulated over time. So although there will be
2 short-term impacts, there's long-term -- it will be a
3 much healthier environment to have a much healthier
4 overall system within the waterway itself.

5 PARTICIPANT: Just one more follow-up
6 question. And I think I get what they were asking is
7 that when you guys are doing this active cleanup, the
8 residential fish would, like, try to avoid the cleanup
9 area because you guys are making a lot of noise.

10 Will you be concerned that they aren't going
11 far enough to other safer fishing spots and they are
12 carrying the chemicals with them in their bodies?
13 Would that area -- what will be impacted, do you
14 think?

15 KIRA LYNCH: Okay. So thank you for
16 restating that question, because I think I understand
17 it a little better now.

18 I think those are the type of things that we
19 will need to think about as we go forward with a
20 remedial design. I think it will be really dependent
21 on what type of -- whether we're talking about crabs
22 or other things.

23 And one of the things that we will be doing
24 during the design of the work that we'll be doing
25 would be looking at clearly the impacts that we'll be

1 having while we're out there doing the construction,
2 like what type of limitations we'll need to be putting
3 on people fishing off the Spokane Street Bridge during
4 the periods when we're working there and maybe
5 limitations of how close to the water people can
6 access.

7 I think that's going to be dependent on what
8 phase of construction we're in, but that is something
9 that we will definitely make sure that we're
10 considering when we get into kind of our
11 implementation design process.

12 PARTICIPANT: Thank you.

13 LAURA KNUDSEN: Thank you. Great
14 clarifying question. It looks like we might have --
15 any other clarifying questions about the presentation,
16 the proposed plan, before we do -- open it up for
17 formal public comments? Take your time. There's a
18 lot of information. Great questions. Thank you all
19 so much. Give it a little bit more time. One more
20 chance? Clarifying questions?

21 Okay. That being said, we're going to go
22 ahead and transition to the formal comment period of
23 the meeting. And if you have additional questions,
24 there will be time after the formal comments where you
25 can come and ask those.

1 And I don't have any speaker cards, so if you
2 want to make a public comment, a formal one, I'll ask
3 you -- if you want to do that in a moment -- and
4 you'll be doing it over here in this corner where
5 Nancy, our court reporter, is taking oral public
6 comments today. And if you do feel comfortable
7 providing a public comment, feel free to state your
8 name and your organization, if you want to, but you
9 don't have to when you start your public comment.

10 We do ask that you keep your public comments
11 to three minutes, and we have -- if you do decide to
12 make a public comment today, we have a timer on the
13 screen. And Dustin, who is going to be listening for
14 the EPA to your comment, will keep track of the time.

15 And we start with one public comment, but you
16 can always -- even if you don't give an oral public
17 comment today and you want to think about your public
18 comment more, remember, you can also always call
19 (206)553-6520 and leave a public comment in any
20 language you choose.

21 You can also write us public comments as well,
22 and I just want to remind you that there's lots of
23 materials in the room right by the sign-in table, fact
24 sheets, comment forms in Spanish, Khmer, and
25 Vietnamese, and take as many as you want. You can

1 take as many as you want to share and give to other
2 people.

3 So that being said, is there anyone here who
4 would like to provide a formal public comment in this
5 space right now? And if so, please raise your hand if
6 you would like to. If you don't want to, that is okay
7 too. If you would like to, we can take some right
8 now. If you want to take some time as well, that's
9 okay. We'll be here until 6:00 if you want to have a
10 public comment provided to you with Nancy here. So
11 take your time. You can also take some time to think.

12 Okay. So I'm not hearing interest right now,
13 which is totally fine, so take your time and think
14 about if you want to say something or not or write
15 something or not, but I'm going to reset right now and
16 give everyone a chance to think about everything we
17 just talked about.

18 PARTICIPANT: We have a comment for
19 EPA. We'll need a translator.

20 LAURA KNUDSEN: So if it's a formal
21 public comment, then we're going to have you come up
22 here actually.

23 PARTICIPANT: First of all, I do want
24 to express my appreciation for the EPA initiative in
25 this cleanup effort.

1 LAURA KNUDSEN: We're going to pause
2 one second.

3 PARTICIPANT: So due to this Superfund
4 initiative, the community and especially those living
5 in the Duwamish area are aware of the risk from
6 pollution coming from the source. And we want to
7 express the appreciation for EPA's role in involving
8 all the partners in the local, federal level, in the
9 effort to restore the environment that's healthy to
10 people and the community. That's pretty much the gist
11 of my comment, yes.

12 Thank you.

13 LAURA KNUDSEN: Thank you for your
14 comment. Thank you very much. Thank you.

15 I also want to say with public comments that
16 you can make more than one over time, so if you make
17 one today, you can make another one another time. You
18 can write us a comment, too, later if you want if you
19 think about other things you want to tell us too.

20 So you can make more than one comment. If you
21 say something today, you can say something else later
22 today or write us something else. So thank you.

23 Any other public comments right now? And we
24 will be here until 6:00. Did I see a hand over there?
25 No hand? Okay.

1 PARTICIPANT: What is a formal?

2 LAURA KNUDSEN: It just means when you
3 make a formal public comment, we are going to
4 specifically review those comments when we're making
5 our final interim record of decision or cleanup plan,
6 and we actually respond to those comments.

7 So the questions you all just asked, they're
8 in the transcript, but they're really just clarifying
9 questions. They're not actually formal public
10 comments that we're going to respond to. So if you
11 make a formal public comment, we actually will include
12 that in our responsiveness summary when we have --

13 PARTICIPANT: No.

14 LAURA KNUDSEN: You don't want to do
15 it? That's okay.

16 All right. Well, take your time, because you
17 can make a comment, a formal public comment, later
18 too. And we'll be here until 6:00, so take your time.
19 If you want to think about what you want to say and no
20 pressure.

21 So with that, we're going to go ahead and kind
22 of end this group session, but if you have other
23 questions that you want to ask the EPA team, they're
24 here and we'll answer additional clarifying questions.

25 And then if you want to make a formal oral

1 public comment, you can come up to right where Nancy
2 is up here at any time. And we can take your formal
3 oral public comment. Thank you so much.

4 (The proceedings concluded at 6:00 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON

COUNTY OF KING

I, Nancy M. Kottenstette, a Certified
Shorthand Reporter in and for the State of Washington,
do hereby certify that the foregoing transcript of the
proceedings on June 3, 2023, is true and accurate to
the best of my knowledge, skill, and ability.

I do further certify that I am a disinterested
person in this cause of action.

IN WITNESS WHEREOF, I have hereunto set my
hand and seal this 7th day of June, 2023.

Nancy M. Kottenstette



Nancy M. Kottenstette, RPR, CCR 3377